

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

CHARLES HICKS, #246241, )  
Plaintiff, )  
v. ) CIVIL ACTION NO. 2:07cv142-MHT  
ALA. DEP'T OF CORRECTIONS, *et al.*, ) (WO)  
Defendants. )

## ORDER

On February 22, 2007 (doc. no. 6), the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is

ORDERED as follows:

1. That the Recommendation be and is hereby ADOPTED;
2. That the plaintiff's claims against defendant Alabama Department of Corrections be and are hereby DISMISSED with prejudice pursuant to the directives of 28 U.S.C. § 1915(e)(2)(B)(i);
3. That defendant Alabama Department of Corrections be and is hereby DISMISSED as a defendant in this cause of action; and
4. That this case, with respect to the remaining claims against the remaining defendants, be and is hereby REFERRED BACK to the Magistrate Judge for appropriate proceedings.

DONE, this the 16th day of March 2007.

/S/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE